

SENATE RECORD VOTE ANALYSIS

105th Congress
2nd Session

Vote No. 219

July 22, 1998, 10:09 a.m.
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COMMERCE-JUSTICE-STATE/Public Aircraft, Law Enforcement

SUBJECT: Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Bill for fiscal year 1999 . . . S. 2260. Graham/DeWine amendment No. 3244.

ACTION: AMENDMENT AGREED TO, 56-44

SYNOPSIS: As reported, S. 2260, the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Bill for fiscal year 1999, will provide a total of \$33.239 billion in new budget authority, which is \$1.115 billion more than appropriated for fiscal year (FY) 1998 and is \$3.647 billion less than requested. The bill contains large spending increases for various law enforcement activities.

The Graham/DeWine amendment would amend the definition of public aircraft in public law 103-411. Currently, if one law enforcement agency provides aircraft assistance to another agency for law enforcement purposes, for search and rescue purposes, or to respond to an imminent threat to property or natural resources, it may not be reimbursed for the costs of providing that assistance. If it is reimbursed, it is fined for illegally operating commercial aircraft. The Graham/DeWine amendment would change the definition so that law enforcement agencies could provide such assistance and be reimbursed without being fined for operating commercial aircraft.

Those favoring the amendment contended:

Public law 103-411 was enacted in 1995. Its purpose was to increase aviation safety by increasing the level of regulation among aviation units that operate surplus military aircraft. Its main effect, though, has been to harm law enforcement efforts and increase profits for commercial aviation companies. For instance, in Florida locally grown marijuana has become a serious law enforcement problem. In order to identify that marijuana and effectively eradicate it, helicopters are an enormous asset. Most large and medium-sized counties have their own helicopters, but smaller counties and small towns and municipalities cannot afford the expense. Before

(See other side)

YEAS (56)			NAYS (44)			NOT VOTING (0)	
Republicans (12 or 22%)	Democrats (44 or 98%)		Republicans (43 or 78%)	Democrats (1 or 2%)		Republicans (0)	Democrats (0)
Allard	Akaka	Inouye	Abraham	Hutchison	Murray		
Ashcroft	Baucus	Johnson	Bennett	Jeffords			
Brownback	Biden	Kennedy	Bond	Kemphorne			
DeWine	Bingaman	Kerrey	Burns	Kyl			
Grams	Boxer	Kerry	Campbell	Lott			
Grassley	Breaux	Kohl	Chafee	McCain			
Hatch	Bryan	Landrieu	Coats	McConnell			
Inhofe	Bumpers	Lautenberg	Cochran	Murkowski			
Lugar	Byrd	Leahy	Collins	Roberts			
Mack	Cleland	Levin	Coverdell	Roth			
Nickles	Conrad	Lieberman	Craig	Santorum			
Snowe	Daschle	Mikulski	D'Amato	Sessions			
	Dodd	Moseley-Braun	Domenici	Shelby			
	Dorgan	Moynihan	Enzi	Smith, Bob			
	Durbin	Reed	Faircloth	Smith, Gordon			
	Feingold	Reid	Frist	Specter			
	Feinstein	Robb	Gorton	Stevens			
	Ford	Rockefeller	Gramm	Thomas			
	Glenn	Sarbanes	Gregg	Thompson			
	Graham	Torricelli	Hagel	Thurmond			
	Harkin	Wellstone	Helms	Warner			
	Hollings	Wyden	Hutchinson				

EXPLANATION OF ABSENCE:

- 1—Official Business
- 2—Necessarily Absent
- 3—Illness
- 4—Other

SYMBOLS:

- AY—Announced Yea
- AN—Announced Nay
- PY—Paired Yea
- PN—Paired Nay

enactment of public law 103-411, a small town could just ask for helicopter assistance from a larger law enforcement agency and reimburse that agency for its costs. Now, though, it may not. If it knows that marijuana is being grown, and if it needs a helicopter to find it, it must instead hire a much more expensive commercial helicopter service. Small towns cannot afford to pay for the effective law enforcement that is necessary, and the drug dealers know it. They know that they can easily get away with growing marijuana in small jurisdictions that do not have their own aircraft, and that is a major reason why locally grown marijuana has become a serious problem in the last few years. The problem is not just with drug dealing. Even for such efforts as search and rescue operations small jurisdictions must hire commercial aircraft. Law enforcement agencies across the country have been seriously hurt by this law. They strongly support the Graham/DeWine amendment. We urge our colleagues to support it as well.

Those opposing the amendment contended:

The Federal Aviation Administration (FAA) and other organizations, such as the Helicopter Association International, have legitimate safety concerns on this issue. We realize that law enforcement groups favor this amendment, but they are not the only ones from whom we should hear. So far, though, they are, because no hearings have been held. We think it would be better to examine this issue more closely before we rush to judgment. We therefore oppose this amendment.